

Express Mail No.: EV 686 024 285 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Schadt et al.	Confirmation No.:	2454
Serial No.:	10/567,282 national stage filing of PCT/US04/17754	Art Unit:	To be assigned
Filed:	June 4, 2004	Examiner:	To be assigned
For:	COMPUTER SYSTEMS AND METHODS FOR INFERRING CAUSALITY FROM CELLULAR CONSTITUENT ABUNDANCE DATA	Attorney Docket No:	9301-237-999

**REQUEST TO REMOVE STEPHANIE A. MONKS AS AN INVENTOR
AND TO ADD JOHN LAMB AS INVENTOR**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants respectfully request that Stephanie A. Monks be removed as a named inventor and that John Lamb be added as a named inventor.

A processing fee in the amount of \$130.00 is believed due under 37 C.F.R. § 1.17(i) for filing a Declaration under 37 C.F.R. § 1.497(d) pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in PCT International Application No. PCT/US04/17754. Please charge the required fee to Jones Day Account No. 50-3013. A copy of this sheet is enclosed.

Date:

8/22/06

Respectfully submitted,

Brett Jovey
42,813
Adriane M. Antler

JONES DAY

222 East 41st Street
New York, New York 10017
Phone: (212) 326-3939

Reg. No.
32,605
(Reg. No.)

08/25/2006 LLANDGRA 00000053 503013 10567282
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Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Schadt et al.	Confirmation No.:	2454
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STATEMENT OF JOHN LAMB UNDER 37 C.F.R. § 1.497(d)(1)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

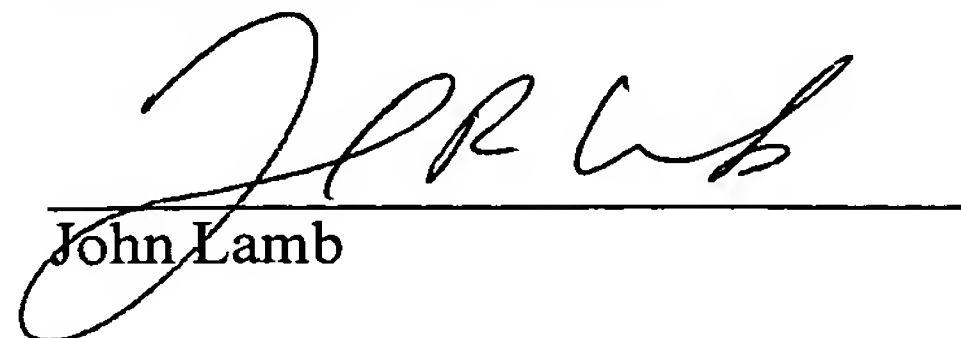
In accordance with 37 C.F.R. § 1.497(d)(1) I, JOHN LAMB, a citizen of the United States having a residence of 1216 N. 172nd Street, Shoreline, Washington 98133, state as follows:

That my name was incorrectly omitted from the list of inventors for COMPUTER SYSTEMS AND METHODS FOR INFERRING CAUSALITY FROM CELLULAR CONSTITUENT ABUNDANCE DATA, which was filed as PCT International Application No. PCT/US04/17754 on June 4, 2004 ("the PCT Application"). I am an inventor of the claimed subject matter of the PCT Application. The error in inventorship in the PCT Application occurred without any deceptive intention on my part.

Respectfully submitted,

Date:

Aug 16th, 2006


John Lamb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Schadt et al.	Confirmation No.:	2454
Serial No.:	10/567,282 national stage filing of PCT/US04/17754	Art Unit:	<i>To be assigned</i>
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For:	COMPUTER SYSTEMS AND METHODS FOR INFERRING CAUSALITY FROM CELLULAR CONSTITUENT ABUNDANCE DATA	Attorney Docket No:	9301-237-999

STATEMENT OF STEPHANIE A. MONKS UNDER 37 C.F.R. § 1.497(d)(1)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

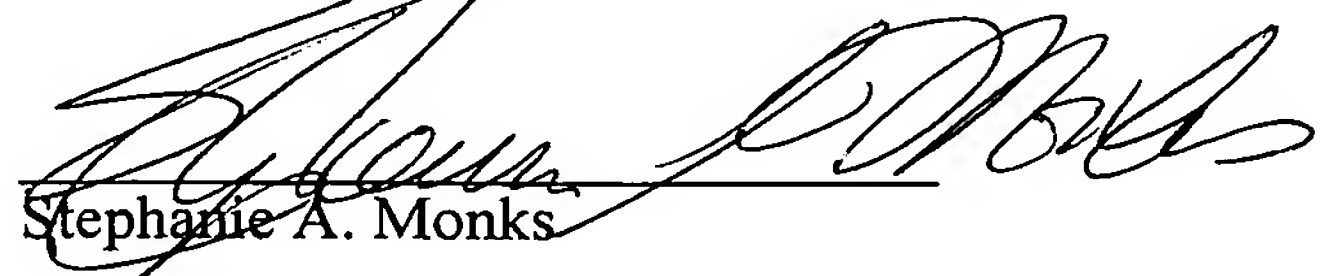
In accordance with 37 C.F.R. § 1.497(d)(1) I, Stephanie A. Monks, a citizen of the United States having a residence of 3414 N. Ramsey Street, Stillwater, Oklahoma, 74075, state as follows:

That my name was incorrectly included in the list of inventors for COMPUTER SYSTEMS AND METHODS FOR INFERRING CAUSALITY FROM CELLULAR CONSTITUENT ABUNDANCE DATA, which was filed as PCT International Application No. PCT/US04/17754 on June 4, 2004 ("the PCT Application"). I am not an inventor of the claimed subject matter of the PCT Application. The error in inventorship in the PCT Application occurred without any deceptive intention on my part.

Respectfully submitted,

Date:

14 August 2006


Stephanie A. Monks

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Schadt et al.	Confirmation No.:	2454
Serial No.:	10/567,282 national stage filing of PCT/US04/17754	Art Unit:	<i>To be assigned</i>
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For:	COMPUTER SYSTEMS AND METHODS FOR INFERRING CAUSALITY FROM CELLULAR CONSTITUENT ABUNDANCE DATA	Attorney Docket No:	9301-237-999

**CONSENT OF ASSIGNEE TO CHANGE OF INVENTORSHIP UNDER
37 C.F.R. § 1.497 (d)(3) AND STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Rosetta Inpharmatics LLC, as the assignee of the entire right, title and interest in the above identified patent application, hereby consents to correction of the inventorship of this application. Specifically, the assignee consents to the addition of John Lamb, a citizen of the United States whose residence is 1216 N. 172nd Street, Shoreline, Washington 98133, as co-inventor of the instant application. The assignee also consents to the removal of Stephanie A. Monks, a citizen of the United States whose residence is 3414 N. Ramsey Street, Stillwater, Oklahoma, 74075, as co-inventor of the instant application. Thus, the true inventors of the claimed subject matter of the above-identified International Application No. PCT/US04/17754 are Eric E. Schadt and John Lamb.

Rosetta Inpharmatics LLC states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. A copy of the assignment is enclosed as Exhibit A.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 16 Aug 2006

ROSETTA INPHARMATICS LLC
By: Edward M. Yoshida
Edward M. Yoshida
Managing Counsel

EXHIBIT A

Copy of Assignment of PCT/US04/17754 from Inventors to Rosetta Inpharmatics LLC

ASSIGNMENT

WHEREAS, WE, ERIC E. SCHADT, a citizen of the United States, residing at 810 5th Street, Kirkland, Washington 98033, and JOHN LAMB, a citizen of the United Kingdom, residing at 1216 N. 172nd Street, Shoreline, Washington 98133, respectively, ASSIGNORS, are the inventors of the invention in COMPUTER SYSTEMS AND METHODS FOR INFERRING CAUSALITY FROM CELLULAR CONSTITUENT ABUNDANCE DATA for which we have executed an application for a Patent of the United States

☒ which is identified by Jones Day docket no. 9301-237-999

☒ which was filed on June 4, 2004, Application No. 10/567,282, U.S. national stage of International Application No. PCT/US04/17754

and WHEREAS, ROSETTA INPHARMATICS LLC, a limited liability company organized and existing under the laws of the state of Delaware, and having an office for the transaction of business at 401 Terry Avenue North, Seattle, Washington 98108, ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner for Patents and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date August 16, 2006, 2006


Eric E. Schadt

L.S.

Date Aug 16th, 2006, 2006

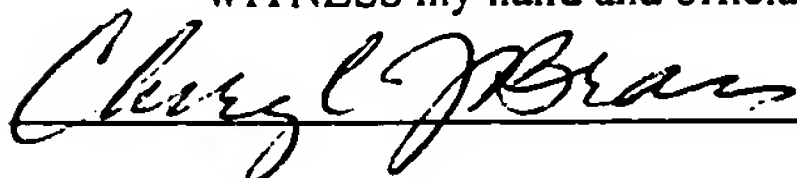

John Lamb

L.S.

State of Washington)
County of King) SS.:

On 16 Aug, 2006, before me, Cheryl J. Brass, Notary Public, personally appeared Eric E. Schadt, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



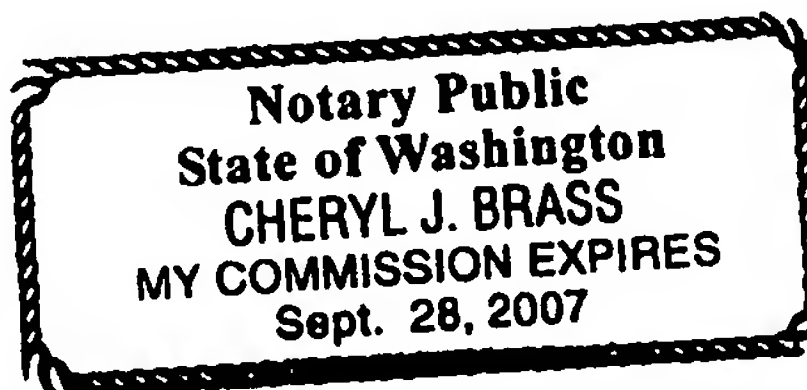
Notary Public
State of Washington
CHERYL J. BRASS
MY COMMISSION EXPIRES
Sept. 28, 2007

State of Washington)
County of King) SS.:

On 16 Aug, 2006, before me, Cheryl J Brass, Notary Public, personally appeared John Lamb, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Cheryl J Brass



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**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Practitioners at Customer Number 20583 all of Jones Day, whose address is 222 East 41st Street, New York, New York 10017, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71.

Please direct all correspondence for this application to Customer no. 20583.

Statement Under 37 C.F.R. 3.73(b)

Rosetta Inpharmatics LLC states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- ☒ An assignment from the inventor(s) of the patent application/patent identified above.
A copy of the assignment is attached.

OR

- ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: To:
The document was recorded in the United States Patent and Trademark Office on
 at Reel , Frame , or for which a copy thereof is attached.

2. From: To:
The document was recorded in the United States Patent and Trademark Office on
 at Reel , Frame , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☒ Copies of assignments or other documents in the chain of title are attached.
[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: Rosetta Inpharmatics LLC

Date:

16 Aug 2006

Signature:

Edward M. Yoshida

Typed Name:

Edward M. Yoshida

Position/Title:

Managing Counsel

ASSIGNMENT

WHEREAS, WE, ERIC E. SCHADT, a citizen of the United States, residing at 810 5th Street, Kirkland, Washington 98033, and JOHN LAMB, a citizen of the United Kingdom, residing at 1216 N. 172nd Street, Shoreline, Washington 98133, respectively, ASSIGNORS, are the inventors of the invention in COMPUTER SYSTEMS AND METHODS FOR INFERRING CAUSALITY FROM CELLULAR CONSTITUENT ABUNDANCE DATA for which we have executed an application for a Patent of the United States

- ☒ which is identified by Jones Day docket no. 9301-237-999
- ☒ which was filed on June 4, 2004, Application No. 10/567,282, U.S. national stage of International Application No. PCT/US04/17754

and WHEREAS, ROSETTA INPHARMATICS LLC, a limited liability company organized and existing under the laws of the state of Delaware, and having an office for the transaction of business at 401 Terry Avenue North, Seattle, Washington 98108, ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner for Patents and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date August 16, 2006, 2006

Eric E. Schadt L.S.

Date Aug 16th, 2006, 2006

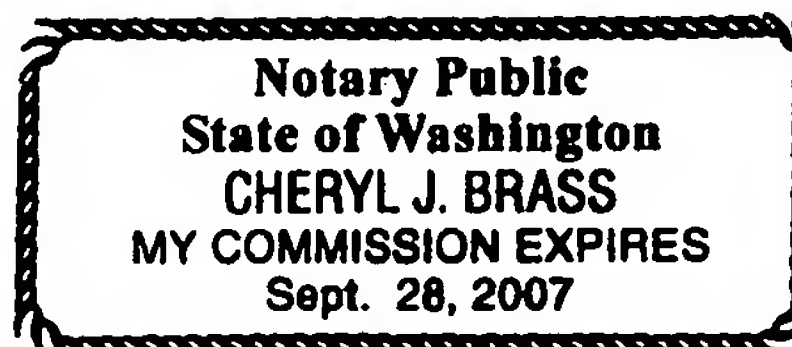
John Lamb L.S.

State of Washington)
County of King) SS.:

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WITNESS my hand and official seal

Cheryl J. Brass



State of Washington)
County of King) SS.:

On 16 Aug, 2006, before me, Cheryl J Brass, Notary Public, personally appeared John Lamb, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Cheryl J Brass

